

STATE OF VERMONT  
PUBLIC SERVICE BOARD

Docket No. 7494

Petition of Lisa Kaiman vs. Central Vermont Public	)	
Service Corporation ("CVPS") in re: dispute concerning	)	Hearing at
compensatory action by CVPS in connection with	)	Chester, Vermont
charges for electric service at her dairy farm in Chester,	)	February 19, 2009
Vermont	)	

Order entered: 11/16/2009

PRESENT: Andrea C. McHugh, Hearing Officer

APPEARANCES: Lisa Kaiman, Pro Se

Jeanne E. Burns, Esq.  
for Central Vermont Public Service Corporation

**I. INTRODUCTION**

Lisa Kaiman ("Ms. Kaiman" or "Petitioner") is requesting that the Public Service Board ("Board") grant her \$4,392.07 in compensation from Central Vermont Public Service Corporation ("CVPS") for the period of time during which electric service to her dairy barn was metered separately from her residence. In this Proposal for Decision, I recommend that the Board deny the Petitioner's request.

**II. PROCEDURAL HISTORY**

On September 11, 2008, Ms. Kaiman filed a petition with the Board requesting compensation from CVPS for the period of time during which electric service to her dairy barn was metered separately from her residence.<sup>1</sup>

---

1. Ms. Kaiman first contacted the Department of Public Service ("Department") in September 2007 regarding a claim against CVPS. The Department contacted CVPS on behalf of Ms. Kaiman but obtained no substantial information regarding the circumstances of her complaint. When in due course the matter was not resolved to Ms.

On November 13, 2008, the Clerk of the Board sent a memorandum to Ms. Kaiman and CVPS requesting copies of all documents that they intended to file with the Board to support their respective positions. CVPS filed its documents on December 12, 2008, and Ms. Kaiman filed her documents on December 15, 2008.

The technical hearing was held on February 19, 2009, in Chester, Vermont. At the hearing Ms. Kaiman represented herself, and Jeanne Burns, Esq., represented CVPS. Each party presented witnesses and entered evidence into the record.

At the hearing, CVPS presented a document, which included detailed calculations, that was not previously filed with the Board or shared with Ms. Kaiman. In order to give Ms. Kaiman an opportunity to review and respond to this document, I allowed the parties to file supplemental documentation after the technical hearing. Both parties indicated that they would like the opportunity to present additional documentation to support their positions in the case.

On February 25, 2009, I issued a scheduling order. On March 18, 2009, CVPS filed the supplemental direct testimony of Mr. Joseph Bobee, the direct testimony of Mr. George Gulian, and Work Request Number 33409. On March 20, 2009, Ms. Kaiman filed detailed calculations to support her claim. On April 1, 2009, Ms. Kaiman filed comments on the additional testimony and exhibit filed by CVPS; however, she stated that she had no formal objections to the additional testimony and exhibit. CVPS did not file any comments or objections regarding Ms. Kaiman's detailed calculations.

The supplemental direct testimony of Mr. Joseph Bobee and the direct testimony of Mr. George Gulian are hereby admitted into the record. I am also admitting Work Request Number 33409, as Exhibit CVPS-JB-S1, and Ms. Kaiman's calculations, as Exhibit Petitioner-S1, into the record.

On June 3, 2009, I circulated my Proposal for Decision to the parties in this docket. CVPS filed comments on June 16, 2009. After reviewing these comments, I have revised my Proposal for Decision to more specifically address my determination to deny Ms. Kaiman's claim for a refund of the sales tax paid to CVPS for electric service at her dairy barn.

---

Kaiman's satisfaction, the Department recommended that she file a petition with the Board. Exh. Petitioner 2.

Ms. Kaiman also filed comments on my Proposal for Decision on June 16, 2009. In her filing, Ms. Kaiman indicated that she wanted an opportunity to consult with an attorney. I granted her an extension of time to file comments on my Proposal for Decision so that if she chose, she could consult with an attorney. Ms. Kaiman filed additional comments on July 21, 2009. Those comments do not raise any new issues; accordingly, I have made no revisions to my determinations based on her comments.

Pursuant to 30 V.S.A. § 8, and based on the record and evidence before me, I present the following findings to the Board.

### **III. FINDINGS**

1. CVPS provides electric service to Ms. Kaiman's residence and a barn, for her dairy farm operations, located at 157 Thompson Road in Chester, Vermont. Exh. Petitioner 4.

2. The barn was constructed in 1999. To help determine how electric service should be provided to the barn, on June 15, 1999, Mr. Joseph Bobee, Field Technician for CVPS, met with Mr. Laurence Hennessey, electrician for Ms. Kaiman, for an initial visit at the site where the barn would be constructed. Mr. Bobee and Mr. Hennessey discussed options for electrical service for the barn. Supplemental Direct Testimony of Joseph Bobee at 2; exh. CVPS-JB-S1.

3. The rate class for a customer is determined in part by the type of electrical service installation chosen by the customer. Supplemental Direct Testimony of Joseph Bobee at 3.

4. On July 20, 1999, Ms. Kaiman contacted CVPS to discuss options and indicated that she intended to use "big coolers and lighting" at the barn. Exh. CVPS-JB-S1.

5. On July 21, 1999, Mr. Bobee spoke with Ms. Kaiman via telephone. Mr. Bobee noted on the CVPS work request document that CVPS would connect the service to the barn after Ms. Kaiman's electrician and contractor completed the construction of the underground line to serve the barn. Exh. CVPS-JB-S1.

6. In 1999, Ms. Kaiman and CVPS discussed the potential for power surges when certain equipment in the barn would cycle on. Tr. 2/19/09 at 11 and 41 (Kaiman).

7. From the time Ms. Kaiman initiated service at the barn in September 1999, through December 5, 2006, electric service was provided on two separately-metered accounts. The pre-

existing account for her residence was designated on her bills as "Thompson Prop" and billed at the Residential Rate. The account for her barn used for her dairy operations was designated as "Barn" on her bills and billed at the General Service Rate (Company Designation 2). Exh. Petitioner 4.

8. In September 2006, a representative from Efficiency Vermont informed Ms. Kaiman that her barn used for dairy farming operations appeared to be eligible to receive electric service on a single meter by combining the service at the barn with the service at her residence. Exh. Petitioner 3; exh. Petitioner 4.

9. CVPS's tariff states that "the Company will endeavor to assist a Customer at any time in the selection of a rate schedule which may be most favorable to his requirements on an annual basis, and for which all applicable provisions are met, but in no way does the company make any warranty, expressed or implied, as to the rate schedule favorable to the future service requirements of the Customer." Exh. CVPS-6.

10. On October 9, 2006, Ms. Kaiman contacted CVPS to request combined service for her residence and barn. CVPS reviewed her usage, took measurements, and agreed to consolidate the accounts for the house and barn. CVPS completed the work necessary to transition Ms. Kaiman's electrical service to a single meter on December 5, 2006. Exh. CVPS-5; exh. CVPS-12.

11. As of December 2006, when Ms. Kaiman's service was combined onto a single meter, the lights in her residence flicker when certain equipment operated in the barn cycles on. Such flickering did not occur previously when Ms. Kaiman received electric service on two meters. Tr. 2/19/09 at 11 and 41 (Kaiman).

12. CVPS has been providing service to Ms. Kaiman on a single meter for her residence and barn under the Residential Service Rate (Company Designation 1) beginning with the billing period ended December 26, 2006. Exh. Petitioner 5.

13. CVPS's Residential Rate is applicable for single-phase electric service for domestic purposes in private residences, individual apartments, and farms. This rate does not apply to

entities engaged in farming where there is no domestic use. CVPS's Residential Rate Tariff, Sixty-first Revised Sheet 21, effective on bills rendered on or after February 1, 2008.<sup>2</sup>

14. In accordance with the CVPS Residential Rate Tariff, Ms. Kaiman's barn was not eligible for the residential rate until the service for the barn was combined with the service for the residence onto a single meter. Exh. CVPS 1.

15. During the period that Ms. Kaiman received electric service on two meters, she paid \$4,392.07 more than she would have been billed if she had received service with a single meter configuration. The calculation is based on the daily service charge for the additional meter and a higher energy charge, as well as sales tax, on the barn account from September 1999 through December 5, 2006. Exh. Petitioner-S1.

#### **IV. SUPPLEMENTAL FINDINGS**

16. To obtain an exemption from paying the Sales and Use tax on electricity, a taxpayer must complete the Form S-3F and file it with the seller of electricity. Ms. Kaiman did not file a completed Form S-3F with CVPS; therefore, she was not exempt from paying the Sales and Use tax. Direct Testimony of George Gulian at 2; tr. 2/19/09 at 33 (Kaiman).

17. If CVPS becomes aware that a customer may be eligible for exemption from Sales and Use tax, they will provide the Form S-3F to customers. CVPS is not obligated to ensure that eligible customers maintain their tax-exempt status. Tr. 2/19/09 at 83-84 (Anderson).

#### **V. DISCUSSION**

In this case, the parties have submitted conflicting evidence and testimony. The Petitioner is requesting compensation from CVPS for the period that she received electric service on two meters. Both the Petitioner and her electrician, Mr. Hennessey, have testified that they were not informed by CVPS of the option to receive electric service for her residence and barn

---

2. I hereby take official notice of CVPS's Residential Rate Tariff, Sixty-first Revised Sheet 21, effective on bills rendered on or after February 1, 2008. Pursuant to 3 V.S.A. § 810(4), if any party wishes to contest the notice of this tariff sheet, they may do so within ten days of the issuance of this Proposal for Decision. I also take official notice that all tariff language referred to in this Proposal for Decision was in effect at the time Ms. Kaiman initiated electric service at her barn in 1999.

through a single meter.<sup>3</sup> CVPS's position is that Ms. Kaiman should not receive compensation for the period she was served on two meters. CVPS presented testimony, including written documentation in the form of work request records, to support its position that options for electric service were presented to Ms. Kaiman or her designee.

The Petitioner has alleged that she has been needlessly charged \$4,392.07 for dual-meter service because CVPS did not present her with the option of choosing a single-meter configuration. Because this is a civil matter, the Petitioner has the burden of proving, by a preponderance of the evidence, that it is more likely than not that CVPS did not inform her of the option to receive electric service for her residence and barn through a single meter.<sup>4</sup>

Ms. Kaiman's claim is based on her assertion that CVPS did not inform her of the option for a single meter when electric service to the barn was initiated in 1999.<sup>5</sup> However, Ms. Kaiman testified that she does not recall specific details about conversations with CVPS. Her only specific recollection is a discussion with CVPS regarding the potential for power surges at her residence when her farm equipment would cycle on. It seems likely that this discussion occurred within the context of electric service options because Ms. Kaiman has been experiencing power quality issues – the lights in her residence now flicker when certain equipment in the barn cycles on – since she began receiving electric service on a single meter. These power quality issues did not occur when service to the residence and barn were provided separately.

CVPS business records show that CVPS had discussions with Ms. Kaiman and Mr. Hennessey, her electrician, about the initiation of electric service at her barn. The business records show that options related to the installation of electric service at the barn were discussed, although they do not identify the specific options for electrical service that were discussed.

In his supplemental testimony, Mr. Bobee stated that various options for electrical service were presented to Mr. Hennessey at the June 15, 1999, meeting. Mr. Bobee also testified that

---

3. Tr. 2/19/09 at 11-12 (Kaiman) and 46 (Hennessey).

4. *Livanovitch v. Livanovitch*, 99 Vt. 327, 131 A. 79 (1926).

5. Tr. 2/19/09 at 11-12 (Kaiman).

while these options were presented to Mr. Hennessey, CVPS did not choose or otherwise decide the type of installation for the customer. The work request document on which Mr. Bobee based his testimony indicates that Mr. Hennessey made no decision regarding the type of installation for his client's needs at the time of the site visit. Rather, the comments on the work request document reflect that Mr. Hennessey indicated he would contact CVPS when the decision was made. It is reasonable to infer that CVPS did not proceed with energizing the barn on Ms. Kaiman's premises until after she, or Mr. Hennessey, had made a decision and constructed the metering configuration.

There was no evidence submitted by either party on specific details of discussions of the potential impact of the barn equipment on Ms. Kaiman's electric load, such as the size of the equipment or how often the equipment might cycle on. However, the record shows that Ms. Kaiman contacted CVPS to discuss the impact of the farm equipment on her electric load. The work request document states that Ms. Kaiman asked to speak with a CVPS representative about options and indicated that she would probably be putting in large coolers and lighting.

After considering the evidence and testimony presented by both parties in this case, I find that Ms. Kaiman did not meet her burden to show, by a preponderance of the evidence, that it is more likely than not that CVPS did not inform her of the option to receive electric service for her residence and barn through a single meter. I am persuaded that CVPS likely discussed the option, with the Petitioner or her designee, to combine the residence and barn service onto a single meter. I am also persuaded by the evidence that CVPS provided adequate information to the Petitioner to enable her, or her designee, to make an informed decision in choosing a meter configuration for her electric service. Therefore, I conclude that the Petitioner should not receive compensation from CVPS for the period that she received electric service at her residence and barn on two meters.

I am concerned that CVPS did not locate the work request document associated with Mr. Bobee's initial site visit at the Kaiman property until an additional document search was conducted after the technical hearing in this docket. CVPS should have been able to locate all relevant documents for this case when Ms. Kaiman first contacted CVPS to voice her concerns surrounding the installation of electric service at her barn.

If the work request document had been located sooner, CVPS could have more coherently responded to Ms. Kaiman's concerns, as well as to the Department's inquiry on her behalf, thereby possibly resolving this matter without need for this proceeding. CVPS's failure to adequately maintain and research its records resulted in needless frustrations for Ms. Kaiman. In the future, CVPS should be more attentive in searching its business records.

#### **VI. SUPPLEMENTAL DISCUSSION RE: TAXES**

After reviewing CVPS's comments on my Proposal for Decision, I have added Findings 16 and 17 to support my decision to deny Ms. Kaiman's request that CVPS refund to her the sales tax paid for electric service at her dairy barn. CVPS is required to collect the Sales and Use tax from all customers served under the General Service Rate. If a customer certifies its tax-exempt status by filing a completed Form S-3F with CVPS, the Sales and Use tax will not be collected on the account. Ms. Kaiman did not provide the completed Form S-3F to CVPS; therefore, CVPS continued to collect the Sales and Use tax on her barn account.

In order to cease paying the Sales and Use tax, Ms. Kaiman was obligated to inform CVPS of her tax-exempt status. CVPS testified that if it becomes aware of a customer's tax-exempt status, CVPS will provide the Form S-3F to that customer. Ms. Kaiman does not claim to have advised CVPS of her tax-exempt status; she only testified that CVPS did not provide the Form S-3F to her.<sup>6</sup> Without notification of her tax-exempt status, CVPS was not obligated to provide the form to Ms. Kaiman. It is the responsibility of the tax-exempt customer to notify the seller if their account is eligible for an exemption from paying the Sales and Use tax.

#### **VII. CONCLUSION**

For the reasons discussed above, I recommend that the Board deny the Petitioner's request.

This Revised Proposal for Decision has been served on all parties to this proceeding in accordance with 3 V.S.A. § 811.

---

6. Tr. 2/19/09 at 33 (Kaiman).



Dated at Montpelier, Vermont, this 8<sup>th</sup> day of October, 2009.

s/Andrea C. McHugh  
Andrea C. McHugh  
Hearing Officer

### **VIII. BOARD DISCUSSION**

On September 30, 2009, CVPS filed comments in support of the Hearing Officer's Revised Proposal for Decision which calls for the dismissal of the Petitioner's claim.

Ms. Kaiman filed comments in opposition to the Hearing Officer's decision on October 1, 2009. She contends that the electricity configuration chosen for her dairy barn was recommended by CVPS. She asserts that she was never informed of an additional service charge, the higher rate charge, or sales tax associated with the recommended meter configuration. Ms. Kaiman also states that Form S-3F (the required form to exempt her bills from sales tax) should have been provided to her by CVPS because CVPS must have been aware that her barn would house a dairy farm operation. She explains that she is not concerned about the power quality issues that she experiences at the barn. She also reiterates her frustrations regarding the lack of response regarding her situation provided by CVPS both directly to her and to the Department.

We recognize that it is difficult to reconstruct the circumstances that led Ms. Kaiman to begin receiving service on two meters over 10 years ago. The Hearing Officer has recommended that we deny Ms. Kaiman's claim because she did not meet her burden of proof. We decline to accept this recommendation. After reviewing the record in this proceeding, we believe that it is more likely than not that CVPS failed to inform her of the option to receive electric service for her residence and barn through a single meter, for the following reasons.

Ms. Kaiman testified that CVPS did not inform her of the option to combine service at her residence and barn or of the associated rate impact of the dual-meter configuration on her electric bill.<sup>7</sup> Her electrician, Mr. Hennessey, testified that CVPS did not tell him that the customer could opt not to put a meter on the barn.<sup>8</sup> CVPS has not provided any convincing evidence to show that it presented Ms. Kaiman, or her electrician, with the option to receive service on a single meter.

---

7. Tr. 2/19/09 at 11-12 (Kaiman).

8. Tr. 2/19/09 at 46 (Hennessey)

CVPS's witness explained four reasons that would lead a customer to choose to separately meter a building: the single-meter configuration would result in higher construction costs; combined usage of the two buildings is too high to qualify for the single meter configuration; the second building is used for commercial purposes and is the predominant usage; and two separate accounts would result in a reduced rate and lower electricity bills.<sup>9</sup>

While CVPS's witness provided several reasons to explain why a customer might choose to separately meter a building, he did not provide an explanation that could reasonably be applied to Ms. Kaiman's situation. There is no evidence that the dual-meter configuration resulted in less construction costs for Ms. Kaiman. In fact, Mr. Hennessey testified that the underground line installed for the second meter would not have been needed for a single-meter configuration.<sup>10</sup> Second, CVPS's witness confirmed that Ms. Kaiman's combined electricity usage at the residence and barn does not even begin to approach the threshold that would necessitate two meters.<sup>11</sup> The third reason does not apply because the second building, the barn, is used for farming purposes. Lastly, Ms. Kaiman did not benefit from lower bills because she received service on two accounts; she paid \$4,392.07 more than she would have if her service was combined on a single meter. We are not convinced that Ms. Kaiman would have knowingly chosen a meter configuration that would result in more expensive electric bills.

The only CVPS witness who claims to be familiar with Ms. Kaiman's specific situation is Mr. Bobee. He provided detailed testimony on the visit that he made to Ms. Kaiman's property to inspect the lines prior to energizing. However, at the hearing, Mr. Bobee testified that he had no knowledge of the initial site visit that occurred before the barn was constructed.<sup>12</sup>

CVPS presented its only testimony related to the initial site visit after the hearing. CVPS conducted a broadened system search and located exh. CVPS-JB-S1, Work Request 33409.<sup>13</sup>

---

9. Tr. 2/19/09 at 78-79 (Anderson).

10. Tr. 2/19/09 at 54 (Hennessey).

11. Tr. 2/19/09 at 88 (Anderson).

12. Tr. 2/19/09 at 74 (Bobee).

13. Supplemental Bobee at 3.

The work request shows that Mr. Bobee conducted an initial site visit at Ms. Kaiman's property prior to the construction of the barn. He provided supplemental testimony based on the work request to correct his previous testimony. The supplemental testimony provides no detail to describe the specific options presented to Ms. Kaiman. Mr. Bobee does not represent that he explained the single-meter option to Ms. Kaiman or to Mr. Hennessey. He also does not claim to have explained the rate impacts of any specific options. For these reasons, we do not find Mr. Bobee's testimony to overcome the specific testimony provided by Ms. Kaiman and Mr. Hennessey that CVPS did not inform them of the single-meter option at the initial site visit.<sup>14</sup>

We share the Hearing Officer's concern that CVPS did not locate the work request document until after the technical hearing in this docket. However, we do not agree with the Hearing Officer's reliance on the information presented in that work request document and Mr. Bobee's supplemental testimony as the basis for her conclusions. Given that Mr. Bobee had no recollection of the initial site visit prior to CVPS discovering the work request document, it is unlikely that his memory of the discussions that took place is more reliable than the testimony provided by Ms. Kaiman and Mr. Hennessey. In fact, he stated that his supplemental testimony is based on the work request document.<sup>15</sup>

Ms. Kaiman's request for \$4,392.07 from CVPS to compensate her for the period of time during which electric service to her dairy barn was metered separately from her residence is granted. This amount includes \$823.13 for sales tax payments.<sup>16</sup> Had she received service on a single meter, she would not have paid the tax. Therefore, we require CVPS to directly compensate Ms. Kaiman for the sales tax paid from 1999 to 2006 because the Vermont

---

14. At the hearing, Mr. Bobee testified that he explained the single-meter option to someone at Ms. Kaiman's property when he inspected the line prior to energizing. However, he does not claim to have informed Ms. Kaiman or Mr. Hennessey. Mr. Bobee stated that "it wasn't Ms. Kaiman... I'm going to guess that it wasn't Larry [Hennessey], probably one of the contractor's men." Tr. 2/19/09 at 61 (Bobee).

15. Supplemental Testimony of Joseph Bobee at 2.

16. Exh. CVPS-7.

Department of Taxes will only grant refunds of taxes erroneously paid within three years.<sup>17</sup> Additionally, CVPS's witness testified that if CVPS becomes aware of a customer's tax-exempt status, CVPS will provide Form S-3F to that customer. The record shows that CVPS was aware that Ms. Kaiman's barn would be utilized for dairy farm operations, yet they failed to provide her with the necessary tax form.<sup>18</sup> We are persuaded that if CVPS had followed its practice as articulated by its witness, Ms. Kaiman would have completed Form S-3F to certify the tax-exempt status of her barn account.

In general, we are disappointed with CVPS's failure to adequately respond during the course of its business with Ms. Kaiman. In her testimony, Ms. Kaiman explained that she notified CVPS of her need for power at her barn several times but CVPS did not provide a specific date for the barn to begin receiving power.<sup>19</sup> After Ms. Kaiman was told by CVPS that energizing her barn was not a priority because the account was not new service, she approached her state representative for help.<sup>20</sup> CVPS's business records show that Ms. Kaiman's representative, Rep. Suchmann, contacted CVPS on her behalf.<sup>21</sup> It was only then that CVPS proceeded to address Ms. Kaiman's request for service.

We are also dismayed that CVPS did not adequately respond to the Department's inquiries regarding Ms. Kaiman's complaint. CVPS disagrees<sup>22</sup> with the statement in the Proposal for Decision, "The Department contacted CVPS on behalf of Ms. Kaiman but obtained no substantial information regarding the circumstances of her complaint."<sup>23</sup> This statement is taken almost verbatim from the Petitioner's Exhibit 2, which is a letter from Tamera Pariseau,

---

17. Direct Testimony of George Gulian at 2.

18. Exh. CVPS-4, Work Request Number 38619, indicates that due to the anticipated arrival of cows, service would need to be activated by October 1, 1999.

19. Tr. 2/19/09 at 9 (Kaiman).

20. Tr. 2/19/09 at 10 (Kaiman).

21. Exh. CVPS-JB-S1.

22. CVPS's comments dated June 15, 2009, on the Proposal for Decision, at 2.

23. Proposal for Decision, at 1, footnote.

Department of Public Service, to Ms. Kaiman, dated May 28, 2009. CVPS made no objections to the admission of this letter into evidence. Furthermore, the lack of response by CVPS to the Department's inquiries led Ms. Kaiman to devote an unreasonable amount of time and effort to pursue resolution of this matter.

Resolution of this case before the Board has demanded a substantial investment of time and resources by the Petitioner, CVPS, the Department, and the Board. We understand that CVPS did not attempt to contact Ms. Kaiman after she filed her petition with the Board until the day before the technical hearing.<sup>24</sup> We recognize that CVPS claims to have responded to Ms. Kaiman with "numerous letters and telephone conversations."<sup>25</sup> However, there is no evidence to suggest that CVPS contacted Ms. Kaiman at any point between the date her petition was filed with the Board and the day before the hearing.

Finally, we note that CVPS apparently decided not to explore a possible negotiated resolution with Ms. Kaiman in advance of the technical hearing. It is possible that the combined value of all the resources dedicated to fully litigating this case substantially exceeded the Petitioner's refund claim. It is our perception that a disproportionate number of unresolved customer complaints involve CVPS, even adjusting for CVPS's size relative to other Vermont electric utilities. We encourage CVPS to consider the resources involved to fully litigate a case when it decides whether to attempt to resolve complaints informally, without Board involvement.

---

24. Ms. Kaiman's comments dated June 15, 2009, on the Proposal for Decision.

25. Letter from Jeanne Burns, CVPS, to Susan Hudson, Clerk of the Board dated June 22, 2009.

**IX. ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that:

1. We adopt the findings of the Hearing Officer, as modified in the Board Discussion above.
2. The Petitioner's request for compensation is granted. Central Vermont Public Service Corporation shall provide a refund of \$4,392.07 to Ms. Lisa Kaiman within 30 days of issuance of this Order.
3. This docket shall be closed.

Dated at Montpelier, Vermont, this 16<sup>th</sup> day of November, 2009.

<u>s/James Volz</u>	)	
	)	
	)	
<u>s/David C. Coen</u>	)	PUBLIC SERVICE
	)	
	)	
	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

FILED: November 16, 2009

ATTEST: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*